## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

TARVISIUM HOLDINGS, LLC, and 45N12E, LLC,	)
Plaintiffs,	)
v.	) No. 4:19-CV-0086-DGK
DUKAT, LLC,	)
36LOWER, INC.,	)
ELLIOTT KATTAN, and	)
BEN SCHWARTZ,	)
Defendants	)

## ORDER GRANTING IN PART APPLICATION FOR ATTORNEYS' FEES INCURRED IN BRINGING MOTIONS TO COMPEL

This lawsuit arises from Plaintiffs' purchase of an e-Commerce business, Essential Hardware, from Defendant Dukat, LLC.

Now before the Court is Plaintiffs' Application for Approval of Payment of Professional Fees and Expenses Incurred in Bringing Their Motions to Compel Production of Documents (Doc. 79). The Court previously held Plaintiffs were entitled to recover their reasonable expenses, including attorneys' fees, incurred in bringing two motions to compel. Jan. 10, 2020, Order at 7 (Doc. 78). Plaintiffs seek \$9,101.00 for these services, which consist of 25 hours of work performed by two attorneys, a partner with a billing rate of \$425 per hour and an associate with a rate of \$305 per hour. Plaintiffs also request that the Court order Defendants to pay Plaintiffs' attorneys' fees incurred in responding to Defendants' motion to reconsider the order granting the motion to compel (Doc. 80), as well as their fees incurred in filing their reply to Defendants' opposition to the fee application (Doc. 84).

After carefully reviewing the record, the Court finds an award of \$7,000 is reasonable.

While Plaintiff's counsel's work on these motions was appropriate, it does not justify an award

exceeding this amount. Plaintiffs' request to recover fees incurred in responding to the motion

for reconsideration and filing a reply brief is denied.

Defendants shall pay Plaintiffs \$7,000 on or before February 28, 2020.

IT IS SO ORDERED.

Date: February 7, 2020 /s/ Greg Kays\_

GREG KAYS, JUDGE

UNITED STATES DISTRICT COURT

2